

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DELTA NATIONAL BANK AND TRUST  
COMPANY,

Defendant.

Adv. Pro. No. 11-02551 (SMB)

**CERTIFICATION TO COURT OF APPEALS BY ALL PARTIES<sup>1</sup>**

A notice of appeal having been filed in the above-styled matter on March 16, 2017 (ECF No. 77), Irving H. Picard (the “Trustee”), as trustee of the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC (“BLMIS”), under the Securities Investor Protection Act (“SIPA”), 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff, individually, and Delta National Bank and Trust Company, who are the appellant and

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<sup>1</sup> This certification complies with Official Bankruptcy Form 424.

the appellee, hereby certify to the court under 28 U.S.C. § 158(d)(2)(A) that a circumstance specified in 28 U.S.C. § 158(d)(2) exists as stated below.

Leave to appeal in this matter:

- ☐ is required under 28 U.S.C. § 158(a)  
☒ is not required under 28 U.S.C. § 158(a)

This certification arises in an appeal from a final judgment, order, or decree of the United States Bankruptcy Court for the Southern District of New York entered on March 3, 2017 (ECF No. 76).

An immediate appeal from the judgment, order, or decree may materially advance the progress of the case or proceeding in which the appeal is taken. *See* 28 U.S.C. § 158(d)(2)(A)(iii).

SIGNED: April 4, 2017  
New York, New York

By: /s/ Thomas L. Long  
**BAKER & HOSTETLER LLP**  
45 Rockefeller Plaza  
New York, New York 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Thomas L. Long  
Email: tlong@bakerlaw.com

*Attorneys for Appellant Irving H. Picard,  
Trustee for the Substantively Consolidated  
SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate of  
Bernard L. Madoff*

By: /s/ Lawrence J. Kotler  
**DUANE MORRIS, LLP**  
1540 Broadway  
New York, NY 10036  
Telephone: (212) 692-1000  
Facsimile: (212) 692-1020  
Lawrence J. Kotler, Esq.  
Email: ljkotler@duanemorris.com  
Patricia H. Heer  
Email: pheer@duanemorris.com

*Attorneys for Appellee Delta National Bank  
and Trust Company*